K 195/

O. Essential Commodities 51

File No. Legal Department 3/51

G. BRANCH

Subject:—Opinions on the Bombay Essential Commodities and Cattle Control Act 1946

O. Essential Commodities /51

Gen. 194 e.

G. 3/51

CONTENTS.

Legal Department File No. O. Essential Commodities/51.

Sr. No.	R.I./O.No.	Subject	Pages
		Opinions under the Bombay Essential Commodities and Cattle (Control) Act, 1946.	
1).	G-1 / 2.1.51	Re: Restriction ~~imposex~~ imposed on movement of fodder from Bombay State under the Govt. Notification issued under the D. of I. Rules whether the Notification lapses on the expiry of the D. of India Rules.	

S.I./17.7.56. &c.

Office of the R.L.A.

Please see the letters from the Govt. of India at pp.1-3 ante. The Govt. of India has requested this Govt. in para 2 of its letter at p.1 ante to remove the restrictions on the commodities mentioned in list II at p. 5 ante and to inform the Govt. by t he 31st Dec.50 at the latest as to what action the State Govt. proposes to take in the matter. As fodder is included in this list II, the Civil Supplies Department proposes to inform the Govt. of India that the restriction on movement of fodder from Bombay State which was imposed under Govt. Notification F.D. (s) No.MC/CF-141/E dated 3rd April 1946 under the D of I Rules, no longer continues in force after the lapse of the D. of I. Rules and therefore the question of removing the restriction does not arise. The letter to the Govt. of India is shown to thid Dept. before issue.

Even though 'fodder3 was an essential commodity under the Bombay Essential Commodities and Cattle (Control) Act, the G.N.F.D. (s) n. MC/CF-141/E dated 3rd April 1946 did not continue under sec. 5 of that Act as it offended against sec.297 of the G. of I Act, 1935. The view of the C.S.D. that the notification lapsed on the expiry of the D. of I. Rules is therefore correct.

Id/- /29/12.

The said order could not be validly made by the Provincial Govt. under the Bombay Act as that Act extends to me Province only.

Id/- /30/12.

S.I./17.7.56.4c.

Legal Department.

The view of the Civil Supplies Department that the notification lapsed on the expiry of the Defence of India Rules is correct.

Id/-

Additional Secretary to Government.

U.O. to C.S.D., No. G-1, Dated the 2nd January, 1951

S.I./17.7.96. 4c.